

I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on July 11, 2007.

TOWNSEND and TOWNSEND and CREW LLP

By: Pamela Shelton

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 3733**

PATENT
Attorney Docket No.: 19433A-003110US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James Zucherman et al.

Application No.: 10/684,847

Filed: October 14, 2003

For: INTERSPINOUS PROCESS
APPARATUS AND METHOD WITH A
SELECTABLY EXPANDABLE
SPACER

Customer No.: 20350

Confirmation No. 3522

Examiner: PHILOGENE, PEDRO

Technology Center/Art Unit: 3733

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE EXAMINING
GROUP 3733**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed May 17, 2007 on the above-referenced application, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.